

Commissioner for Patents

### REMARKS

Claims 1-6, 16 and 18 remain in the application.

In view of the Examiner's objections, claims 1 and 16 are herein amended and claim 17 is canceled.

In Item 2 of the Office action, the Examiner objects to claim 1, mentioning that the spacer 43 should be part of claim 1. Reference is made to paragraph [0029] of the present application as published in the United States, in which it is specifically mentioned that "[t]he elongated spacer 43 could optionally be positioned on the longitudinal support member 41 to act as a cushion for the first edge portion A1." Moreover, throughout paragraph [0029] it is clearly emphasized that spacer 43 is optionally used, but that the advertisement sheet A may be used directly with the bracket 44 (i.e., the abutment).

Moreover, the figures of the application show an assembly view that allows all possible configurations. Reference is made to Fig. 2, in which the spacer 43 is shown separated from the longitudinal support member 41 and from the bracket 44. Therefore, it is respectfully argued that claim 1 as currently on file is claiming subject matter that was properly described in and supported by the application as filed.

In Item 4 of the Office action, the examiner objects to claim 1 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,353,534 (hereinafter "*Fassauer*"). The Examiner supports the rejection by referring to the longitudinal member 71 and the abutment portion 77 of *Fassauer*. Figures 15 and 16 of *Fassauer* show a clamping strip 70 that is essentially a loop into which the profile rod 71 is inserted. Therefore, the pocket 11 is connected to the longitudinal member 71 by the loop at its end.

Accordingly, the pockets 11 must be manufactured with the loop (strip 70) prior to installation. Using an adhesive such as glue or fasteners to create a loop on site is not a practical solution, especially in regions of cold climate (e.g., curing time of the glue, exposure of personnel to cold weather).

On the other hand, the display apparatus as claimed in claim 1 clearly describes providing an abutment portion on the sheet to maintain the sheet against the longitudinal member. Claim 1 is herein amended to emphasize this difference over *Fassauer*.

Commissioner for Patents

Moreover, it is observed that Fassauer does not describe an open pleat that is connected to a longitudinal member by way of an abutment portion maintaining the sheet against the surfaces of the longitudinal member. An open pleat is a practical solution, in that the folding of the pleat is performed quickly, even on site.

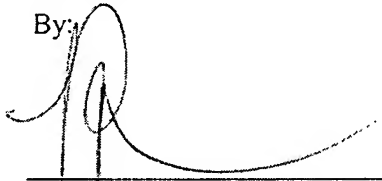
By the absence of these limitations from Fassauer, claim 1 as herein amended is deemed to patentably distinguish over Fassauer.

In Item 5 of the Office action, the Examiner states that claim 17 "*would be allowable if rewritten in independent form.*" Therefore, claim 16 is herein amended by the addition of the subject matter of claim 17, and is now in condition for allowance.

In view of the above amendments and remarks, this application is deemed to be in condition for allowance, and early notice to that effect is earnestly solicited.

Respectfully submitted,  
Yvon CHARBONNEAU

By:



January 15, 2009

(Date)

Pierre T. A.-NGUYEN (Reg. No. 55,043)  
Agent of Record  
OGILVY RENAULT LLP  
1981 McGill College Avenue, Suite 1600  
Montreal, Quebec, Canada H3A 2Y3  
Tel.: (514)847-4243